

MARIAM SAAD FOUAD BEKHIT ELGAWLY, R.Ph.

February 13, 2021  
Date

Kevin Morgan, Pharm.D., President  
Maryland Board of Pharmacy  
4201 Patterson Avenue  
Baltimore, Maryland 21215

RE: Surrender of Pharmacist License  
License Number: 25447  
Case Number: 20-408

Dear Mr. Morgan and Members of the Board:

Please be advised that I have decided to **SURRENDER** my license to practice pharmacy in the State of Maryland, License Number: 25447, effective immediately. I understand that upon surrender of my license, I may not practice pharmacy, with or without compensation, or otherwise engage in the practice of pharmacy in the State of Maryland as it is defined in the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occupations. ("Health Occ.") §§ 12-101 *et seq.*, (2014 Repl. Vol. & 2020 Supp.) and other applicable laws. In other words, as of the effective date of this Letter of Surrender, I understand that I am in the same position as an unlicensed individual in the State of Maryland.

I understand that this Letter of Surrender is a **PUBLIC DOCUMENT**, and, on the Maryland Board of Pharmacy's (the "Board"), acceptance becomes a **FINAL ORDER** of the Board.

My decision to surrender my license to practice pharmacy in the State of Maryland has been prompted by an investigation of my license by the Board. The results of the investigation led the Board to issue disciplinary charges against me on or about October 22, 2020, under Case Number: 20-408.

After its investigation, the Board charged me with violating the following provisions of Health. Occ. §§ 12-313(b):

- (17) Violates any provision of § 12-505 of this title, which concerns the labeling requirements for prescriptions for drugs, devices, or diagnostics;
- (20) Advertises in a manner that tends to deceive or defraud the public;
- (21) Is professionally, physically, or mentally incompetent;
- (24) Is disciplined by a licensing or disciplinary authority of any state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statute;
- (25) Violates any rule or regulation adopted by the Board[.]

The Board also charged me with violating the following Health Occ. provision:

§12-505(d)(2) In addition to any other information required by law, the authorized prescriber shall include on the label:

- (i) The name and strength of the drug or device[.]

The Board further charged me with violating the following provisions of

COMAR:

**10.34.10.01 Patient Safety and Welfare**

A. A pharmacist shall:

- (1) Abide by all federal and State laws relating to the practice of pharmacy and the dispensing, distribution, storage, and labeling of drugs and devices, including but not limited to:
  - (a) United States Code, Title 21,
  - (b) Health-General Article, Titles 21 and 22, Annotated Code of Maryland,
  - (c) Health Occupations Article, Title 12, Annotated Code of Maryland[.]

B. A pharmacist may not:

- (1) Engage in conduct which departs from the standard of care ordinarily exercised by a pharmacist;
- (2) Practice pharmacy under circumstances or conditions which prevent the proper exercise of professional judgement, or
- (3) Engage in unprofessional conduct.

**10.34.10.04 Competence.**

A pharmacy technician, pharmacy intern or a pharmacist shall:

- A. Maintain knowledge of the current pharmacy and drug laws and health and sanitation laws relevant to the practice of pharmacy; and
- B. Provide a pharmaceutical service only with the scope of the pharmacy technician's, pharmacy intern's or pharmacist's training and education

**10.34.19.04 Pharmacy Environment.**

The compounding, preparation, and dispensing of compounded sterile preparations shall be accomplished in a pharmacy environment subject to State and federal laws, regulations, and standards.

**10.34.19.05 General Requirements.**

A licensed pharmacist who has appropriate practical and didactic training in compounding sterile preparations, clean room technology, laminar flow technology, quality assurance techniques, and clinical application of intravenous drug therapy shall control and supervise the section of the pharmacy that prepares compounded sterile preparations and is responsible for, at a minimum, the following:

- C. Labeling of containers of compounded sterile preparations compound within the pharmacy[.]

I wish to make clear that I have voluntarily, knowingly, and freely chosen to submit this Letter of Surrender to avoid prosecution of the aforementioned charges under the Act. I acknowledge that if the case were to proceed to an evidentiary hearing, the State would

be able to prove by a preponderance of the evidence that I violated the Act as charged. I acknowledge that for all purposes relevant to my licensure, those investigative findings will be treated as if proven.

I further acknowledge that the State can prove that on or about October 22, 2020, the Board issued a Notice of Intent to Revoke Pharmacy License ("Notice of Intent to Revoke") because of disciplinary action taken against my pharmacy license by the California, Virginia, Oregon, and Nebraska boards of Pharmacy. My conduct as a pharmacist in California prompted the Board's issuance of the Notice of Intent to Revoke and is attached hereto and incorporated herein as (Exhibit A). The Notice of Intent to Revoke describes my conduct that resulted in disciplinary action.<sup>1</sup>

I understand that by executing this Letter of Surrender I am waiving any right to contest the charges in a formal evidentiary hearing at which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf and all other substantive and procedural protections provided by law, including the right to appeal.

I understand that the Board will advise the National Practitioners' Data Bank of this Letter of Surrender, and in any response to any inquiry, that I have surrendered my license in lieu of further disciplinary action under the Act. I also understand that in the event I would apply for licensure in any form in any other state or jurisdiction, that this Letter of Surrender and the underlying investigative documents including the Notice of Intent to Revoke may be released or published by the Board to the same extent as a final order that would result from disciplinary action, pursuant to Md. Code Ann., State Govt., § 10-611 *et seq.*, (2014 Repl. Vol & 2020 Supp.), and that this Letter of Surrender is considered a disciplinary action by the Board.

I affirm that on or before the date of Board's acceptance of this Letter of Surrender, I will provide to Board staff my pharmacist license. If I apply for reinstatement of my Maryland pharmacy license, the Board has full discretion to grant or deny my reinstatement. If the Board does grant reinstatement, it may impose any terms and conditions the Board considers appropriate for public safety and the protection of the integrity and reputation of the profession. I understand that when applying for reinstatement, I will approach the Board in the same posture as one whose license has been revoked. I also understand that if I apply for reinstatement, I bear the burden of demonstrating my professional competence and fitness to practice pharmacy to the

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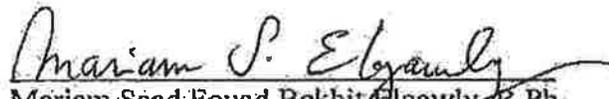
<sup>1</sup> I also acknowledge that my conduct in California formed the basis for the disciplinary action being taken by Massachusetts.

Mariam Saad Fouad Bekhit Elgawly, R.Ph.  
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satisfaction of the Board. If the Board denies my application for reinstatement of my license, I do not have the right to a hearing or to appeal the Board's decision.

I acknowledge that I may not rescind this Letter of Surrender in part or in its entirety for any reason whatsoever. Finally, I wish to make clear that I have been advised of my right to be represented by the attorney of my choice throughout proceedings before the Board, including the right to counsel with an attorney prior to signing this Letter of Surrender. I understand both the nature of the Board's actions and this Letter of Surrender fully. I acknowledge that I understand and comprehend the language, meaning and terms and effect of this Letter of Surrender. I voluntarily choose to surrender my Maryland license to practice pharmacy pursuant to the terms and conditions set out herein. I make this decision knowingly and voluntarily.

Very truly yours,

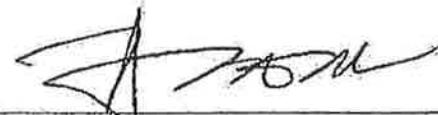
  
Mariam Saad Fouad Bekhit Elgawly, R.Ph.

**NOTARY**

I HEREBY CERTIFY that on this 13<sup>th</sup> day of February, 2021, before me, a Notary Public of the State and City/County aforesaid, personally appeared, **Mariam Saad Fouad Bekhit Elgawly, R.Ph.** and declared and affirmed under the penalties of perjury that signing the foregoing Letter of Surrender was her voluntary act and deed.

AS WITNESS my hand and Notarial seal.



  
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Notary Public

My Commission expires: 03/22/2021

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ACCEPTANCE

On this 11<sup>th</sup> day of March, 2021, I, Deena Speight-Napata, M.A.,  
Executive Director, for Kevin Morgan, Pharm.D., President, on behalf of the Maryland  
Board Pharmacy, accept the **SURRENDER** of the license of **Mariam Saad Fouad Bekhit  
Elgawly, R.Ph.** to practice pharmacy in the State of Maryland.

  
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Deena Speight-Napata, M.A.,  
Executive Director  
for Kevin Morgan, Pharm.D., President  
Maryland Board of Pharmacy